

ASSEMBLY BILL

No. 742

Introduced by Assembly Member Saldana

February 26, 2009

An act to amend Section 10405.7 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 742, as introduced, Saldana. Elections: community college districts.

Existing law authorizes a community college district to consolidate its election of governing board members with other elections upon approval by the board of supervisors and specifies a procedure for effecting the consolidated election.

This bill would make nonsubstantive changes to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 10405.7 of the Elections Code is amended
- 2 to read:
- 3 10405.7. (a) The resolution of the community college district
- 4 governing board to establish an election day pursuant to subdivision
- 5 (b) of Section 1302 shall be adopted and submitted to the board
- 6 of supervisors not later than 240 days prior to the date of the
- 7 currently scheduled election for the governing board members of
- 8 the community college district.

1 (b) The final date for the submission of the resolution by the
2 community college district governing board to the board of
3 supervisors is not subject to waiver.

4 (c) The board of supervisors shall notify all community college
5 districts located in the county of the ~~receipts~~ *receipt* of the
6 resolution to consolidate and shall request input from each district
7 on the effect of consolidation.

8 (d) (1) The board of supervisors, within 60 days from the date
9 of submission, shall approve the resolution unless it finds that the
10 ballot style, voting equipment, or computer capacity is such that
11 additional elections or materials cannot be handled. Prior to the
12 adoption of a resolution to either approve or deny a consolidation
13 request, the board or boards of supervisors may each obtain from
14 the elections official a report on the cost-effectiveness of the
15 proposed action.

16 (2) Public notices of the proceedings in which the resolution is
17 to be considered for adoption shall be made pursuant to Section
18 25151 of the Government Code.

19 (e) Within 30 days after the approval of the resolution by the
20 board of supervisors, the elections official shall notify all registered
21 voters of the districts affected by the consolidation of the approval
22 of the resolution by the board of supervisors. The notice shall be
23 delivered by mail and at the expense of the community college
24 district.

25 (f) An election day established pursuant to subdivision (b) of
26 Section 1302 shall be prescribed to occur not less than one month,
27 nor more than 12 months, subsequent to the election day prescribed
28 in Section 5000 of the *Education Code*. As used in this subdivision,
29 “12 months” means the period from the election day prescribed in
30 Section 5000 of the Education Code to the first Tuesday after the
31 first Monday in the 12th month subsequent to that day, inclusive.

32 (g) If, pursuant to subdivision (b) of Section 1302, a district
33 governing board member election is held on the same day as a
34 statewide general election, those district governing board members
35 whose four-year terms of office would have, prior to the adoption
36 of the resolution, expired prior to that election shall, instead,
37 continue in their offices until successors are elected and qualified.